

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ISAAC A. ISAIAH, M.D.

v.

WESTERN MARYLAND HOSPITAL
SYSTEM, ET AL.

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Civil No. JFM-10-1873

MEMORANDUM

Isaac A. Isaiah, M.D., has filed this pro se action against various defendants. Defendants have filed a motion to dismiss to which Isaiah has responded. The motion will be granted.

Isaiah filed an earlier action based upon the same facts giving rise to this action in 2007. I ruled against him, and my rulings were affirmed by the Fourth Circuit on appeal. Thus, most of the claims asserted by Isaiah that arose from the revocation of his privileges are clearly barred by the doctrines of *res judicata* and collateral estoppel. Isaiah ignores this issue in the opposition memorandum he has filed. Indeed, his opposition memorandum appears to be based upon his appellate brief in the prior action and merely challenges the rulings I previously made.

The new claims asserted by Isaiah appear to be against the attorneys who represented defendants in the prior action. Isaiah claims that they defamed him in the “Federal Court Briefs” they filed. This claim is entirely without merit under Maryland law that recognizes an “absolute privilege for defamatory statements uttered in the course of a trial or contained in pleadings, affidavits, or other documents directly related to the case.” *Keys v. Chrysler Credit Corp.*, 303 Md. 397, 403-04; 494 A 2d. 200, 203 (1985) .

A separate order granting defendants’ motion to dismiss and dismissing this action is

being entered herewith.

Date: October 8, 2010

/s/
J. Frederick Motz
United States District Judge